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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2016/2017 SESSION

ULS1612 – LEGAL SKILLS
(All Sections / Groups)

7 MARCH 2017

Reading Time: 9.00 am-9.15 am
(15 Minutes)

Answering Time: 9.15 am-12.15 noon
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes **ONLY** in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.
2. This Question paper consists of 4 pages with 4 Questions only.
3. This paper consists of two parts. **PART A** is **COMPULSORY** and carries 40 marks. In **PART B** attempt any **TWO** out of **THREE** questions. The distribution of the marks for each question is given.
4. Students are **ONLY** allowed to bring in Contracts Act 1950 into the Examination Hall.
5. Please write all your answers in the Answer Booklet provided.

PART A: COMPULSORY QUESTION**QUESTION 1**

In April 2015, Mr.Segaraga visited his uncle, Mr.Ajis, a blind and disabled old man. Mr.Ajis is a pensioner and was working as an engineer in a famous oil and gas company in Kuala Lumpur. During the visit he noticed that some work need to be done for the amelioration of the home. In early May 2015, Mr.Segaraga bought some paint and brushes. He painted Mr.Ajis's house. Not only that, Mr.Segaraga also bought some plants and fertilizers and built a small beautiful garden at the corner of Mr.Ajis's lawn yard. He was so dedicated in his work that he also built a small pond in addition to the small garden. He finished all his work about one month and a half later. The cost of all the amelioration amounted to RM10,000.00. Mr.Ajis was so pleased with Mr.Segaraga's hard work and initiative that he said to Mr.Segaraga, "Your kindness shall be rewarded. Come back by 10 June 2015 and I will give you a reward of RM15,000.00". When Mr.Segaraga went to see Mr.Ajis on 10 June 2015, he refused to give him the RM15,000.00 as promised.

Mr.Segaraga has filed in an action against Mr.Ajis in Kuala Lumpur Magistrate's Court for breach of a contract.

Based on the facts above, answer the following: -

- (a) Advise Mr.Segaraga by applying the "IRAC" problem-solving technique.
(15 marks)
- (b) Draft a skeleton of written submission for Mr.Segaraga.
(25 marks)

(Total: 40 marks)

Continued...

PART B: ANSWER TWO (2) QUESTIONS ONLY**QUESTION 2**

- (a) Write the citation for the following resources in the format of OSCOLA, 4th edition. End each citation with a full stop. Use underline in place of italics or website link.

- (i) Plaintiff: CENTRAL LONDON PROPERTY TRUST LIMITED
Defendant: HIGH TREES HOUSE LIMITED
Court: KING'S BENCH DIVISION
Date of Judgment: 18 JULY 1946
Judge: DENNING J
Law report: KING'S BENCH
Year reported in: 1947
Pages: 130-136
- (ii) Author: IRWIN R. KRAMER
Article title: THE BIRTH OF PRIVACY LAW: A CENTURY SINCE WARREN AND BRANDEIS
Journal: CATHOLIC UNIVERSITY LAW REVIEW
Year of publication: 1990
Volume number: 39
Pages: 703-724
- (iii) Authors: ROBERT COOTER & THOMAS ULEN
Book title: LAW & ECONOMICS
Edition: SIXTH EDITION
Year of publication: 2012
Publisher: PEARSON EDUCATION INTERNATIONAL
Place of publisher: BOSTON, USA
ISBN number: 978-0-13-284615-8
Number of pages: 55
- (iv) Author: JAYNE HUCKERBY
Article title: WHEN WOMEN BECOME TERRORISTS
Publisher: NEW YORK TIMES
Date of published: 21 JANUARY 2015
Date of assessed: 29 JUNE 2016
Column title: THE OPINION PAGES
Link website: <http://www.nytimes.com/2015/01/22/opinion/when-women-become-terrorists.html>

Continued...

- (v) Name of statute: LAWS OF MALAYSIA ACT 747 SECURITY
OFFENCES (SPECIAL MEASURES) ACT 2012
Section: SEC 4
Date of royal assent: 18 JUNE 2012
Date of publication in: 22 JUNE 2012
the *Gazette*

(25 marks)

- (b) Write the full title of the abbreviations belows: -

- (i) AMR
- (ii) MLJ
- (iii) CLJ
- (iv) All ER
- (v) Crim LR

(5 marks)

(Total: 30 marks)

QUESTION 3

Answer both question in separate and distinct situation: -

- (a) Ali wrote to Babu on 10 January 2014 offering to sell his car, a year 2010, Volvo S40, to Babu for a price of RM80,000. The letter reached Babu on 13 January 2014. On 15 January 2014 Babu wrote back to Ali asking whether Ali would consider reducing the price of the car to RM75,000. Ali replied on 20 January 2014 that the price was fixed at RM80,000 and that his offer will stand only for three more days.

Babu received this letter on 23 January 2014 and immediately posted a letter to Ali accepting his offer at the original price of RM80,000. This letter reached Ali on 25 January 2014. On 24 January 2014 Ali sold the car to Michelle.

Write an opinion letter to Babu advising him on his legal rights.

(20 marks)

- (b) Explain what is a lay client and a professional non-client.

(10 marks)

(Total: 30 marks)

Continued...

QUESTION 4

Answer both question in separate and distinct situation: -

- (a) Ajis, a 15-year-old boy has committed a crime. He met Haji Bakhil, a defence lawyer, for advice. After hearing his story, Haji Bakhil persuaded him to plead guilty as he will only be sent to correctional school. Dissatisfied, Ajis went to see another defence lawyer, Ghazali who explained that his practice was to advise clients of the factual strength of the case in light of applicable law and then to allow them to make their own decisions as to how to plead to the extent they were capable.

Discuss the client counselling approach adopted by Haji Bakhil and Ghazali.

(25 marks)

- (b) Read the passage below and comment on the writing skills accordingly: -

"My client, on my advice, considers, not unreasonably, that he is entitled to exemplary damages, not only in respect of the manner in which he was unceremoniously ejected from your client's manager alleged, he has assaulted your client's bar managers, which my client denies, but also because in the course of the said ejectment he was loudly accused of being drunk, a matter of considerable embarrassment to a CEO of a prominent corporation such as my client, and an allegation which is also denied."

(5 marks)

(Total: 30 marks)

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